

PTO/SB/21 (09-06)

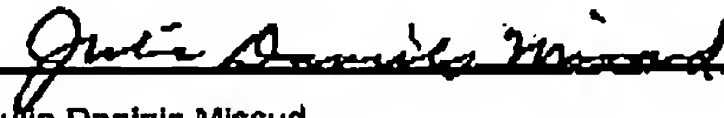
Approved for use through 03/31/2007. OMB 0651-0031

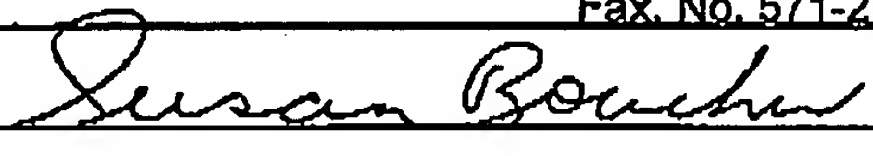
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/618,495	
	Filing Date	July 11, 2003	
	First Named Inventor	James Owen	
	Art Unit	2161	
	Examiner Name	Paul Kim	
Total Number of Pages in This Submission	8	Attorney Docket Number	BEAS-01363US0

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input checked="" type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Copy of Notice of Non-Compliant Amendment dated 1/11/07; Copy of Response submitted 1/26/07; Copy of Acknowledgement Receipt for Response
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Fliesler Meyer LLP Customer No. 23910		
Signature			
Printed name	Julie Daniels Missud		
Date	August 20, 2007	Reg. No.	51,330

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Fax No. 571-273-8300			
Signature			
Typed or printed name	Susan Boucher	Date	August 20, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attorney Docket No.: BEAS-01363US0 SRM/KFK/JDM  
jmissud/BEAS/1363US0/transmittal status.pdf



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,495	07/11/2003	James Owen	BEAS-01363US0	5399

23910 7590 01/11/2007

FLIESLER MEYER LLP  
650 CALIFORNIA STREET  
14TH FLOOR  
SAN FRANCISCO, CA 94108

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JAN 16 2007

FLIESLER MEYER LLP

EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 01/11/2007

Please find below and/or attached an Office communication concerning this application or proceeding.

Fliesler Meyer LLP

File: BEAS-01363US0Action Item: Response (1 mo.)Date Due: February 11, 2007Critical Date: July 11, 2007Attorney Pat: SKM/KFK/JamDocketed By: SKMVerified By: SKM

**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

**COPY**

Application No.  
10/518,495  
Examiner  
Paul Kim

Applicant(s)  
OWEN ET AL.  
Art Unit  
2161

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

The amendment document filed on 20 October 2006 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

**THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:**

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
  - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
  - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  
\_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment must be resubmitted.**
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

**Failure to timely respond to this notice will result in:**

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or  
**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Sana Al-Hashmi  
Legal Instruments Examiner (LIE), if applicable

Telephone No. \_\_\_\_\_

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Continuation of 4(e) Other: Applicant, on pages 2 and 12 of the Amendment requests that claims 9-14, 17-22, 33-38, 41-46, 50-52, 55, 61, and 63-66 be cancelled. However, in the listing of claims, Applicant has marked claims 7-48 as cancelled. A proper presentation of claims which are pending and present for examination is required.

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*J. D. M.*  
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**AUG 20 2007**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application**

**Inventor(s):** Owen et al.  
**Appln. No.:** 10/618,495  
**Confirm. No.:** 5399  
**Filed:** July 11, 2003  
**Title:** SYSTEM AND METHOD FOR A VIRTUAL  
CONTENT REPOSITORY

**PATENT APPLICATION**

**Art Unit:** 2161  
**Examiner:** Kim, Paul  
**Docket No.** BEAS-01363US0  
**Customer No.** 23910

**REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**REMARKS**

These Remarks are in reply to the Notice of Non-Compliant Amendment mailed January 11, 2007. This current Amendment was filed October 16, 2006 in response to a Final Office Action.

**I. Notice of Non-Compliant Amendment**

The Notice states that Applicant, on pages 2 and 12 of the current Amendment requested that claim 9-14, 17-22, 33-38, 41-46, 50-52, 55, 61 and 63-66 be cancelled. Applicant respectfully submits that this is correct. The Notice also states that in the listing of claims, Applicant marked claims 7-48 as cancelled. Applicant respectfully submits that this is also correct. The Notice states that a proper presentation of claims which are pending and present for examination is required. Applicant respectfully submits that the claims in the current Amendment were properly presented.

Claims 1-6, 9-14, 17-22, 33-38, 41-46 and 49-66 were pending in the Application prior to the outstanding Final Office Action as claims 7-8, 15-16, 23-32, 39-40, and 47-48 were previously cancelled in the Amendment filed January 18, 2006. In the current Amendment, Applicant on pages 2 and 12 cancelled claims 9-14, 17-22, 33-38, 41-46, 50-52, 55, 61 and 63-

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66. Thus the full set of claims cancelled are 7-8, 9-14, 15-16, 17-22, 23-32, 33-38, 39-40, 41-46, 47-48, 50-52, 55, 61 and 63-66. This set of claims can also be listed as 7-48, 50-52, 55, 61, and 63-66.

In the remarks section of the current Amendment, under "III. Claims rejected under 35 U.S.C. §102(e)" beginning on page 12, Applicant's discussion of claims, including cancelled claims, followed the order of claims as discussed in the Office Action. The following accounts for all rejected claims under §102(e) that were cancelled. Claim 9 was discussed as cancelled on page 14. Claims 11, 19, 35, 43 and 64 were discussed as cancelled on page 15. Claims 17, 33 and 41 were discussed as cancelled on page 15. Claims 12, 20, 36, 44, 50-52, 55, 61 and 65 were discussed as cancelled on page 15. Claims rejected under §102(e) that were not discussed as cancelled were properly addressed. These properly addressed claims were 1, 3-4, 49, 53-54, 57-58 and 62. Thus, all claims rejected under 35 U.S.C. §102(e) were either properly addressed or discussed as cancelled.

Because claims 7-48, 50-52, 55, 61, and 63-66 were properly presented as cancelled in the claims of the current Amendment, Applicant respectfully submits that the current Amendment without corrections complies with 37 C.F.R. §1.121.

## II. Conclusion

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration of the claims is respectfully requested. The Examiner is respectfully requested to telephone the undersigned if she can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: January 26, 2007

By: /Julie Daniels Missud/

Julie Daniels Missud  
Reg. No. 51,330

FLIESLER MEYER LLP  
650 California Street, 14<sup>th</sup> Floor  
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Telephone: (415) 362-3800  
Customer No. 23910



AUG 20 2007

**Acknowledgement Receipt**

The USPTO has received your submission at **17:33:55** Eastern Time on **26-JAN-2007**.

No fees have been paid for this submission. Please remember to pay any required fees on time to prevent abandonment of your application.

**eFiled Application Information**

EFS ID	1466430
Application Number	10618495
Confirmation Number	5399
Title	System and method for a virtual content repository
First Named Inventor	James Owen
Customer Number or Correspondence Address	23910
Filed By	Julie Daniels Missud/Susan Boucher
Attorney Docket Number	BEAS-01363US0
Filing Date	11-JUL-2003
Receipt Date	26-JAN-2007
Application Type	Utility

**Application Details**

Submitted Files	Page Count	Document Description	File Size	Warnings
suppeuroreport.pdf	2	NPL Documents	64483 bytes	◆ PASS
AtkinsMawIADomain.pdf	13	NPL Documents	4991915 bytes	◆ PASS
KistlerWebLAProgramming.pdf	12	NPL Documents	2207250 bytes	◆ PASS
LevyWebProgramming.pdf	23	NPL Documents	5549225 bytes	◆ PASS
IDS_ESR.pdf	4	Information Disclosure Statement (IDS) Filed	690122 bytes	△ WARNINGS

A U.S. Patent Number Citation or a U.S. Publication Number Citation is required in the Information Disclosure Statement (IDS) form for autoloading of data into USPTO systems. You may remove the form to add the required data in order to correct the Informational Message if you are citing U.S. References. If you chose not to include U.S. References, the image of the form will be processed and be made available within the Image File Wrapper (IFW) system. However, no data will be extracted from this form. Any additional data such as Foreign Patent Documents or Non Patent Literature will be manually reviewed and keyed into USPTO systems.

IDSTrans.pdf	3	Miscellaneous Incoming Letter	416431 bytes	◆ PASS
Noncompliantres.pdf	2	Applicant Arguments/Remarks Made in an Amendment	251477 bytes	◆ PASS

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as